

United States District Court

MAR 20 2018

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Roel Gonzalez-Lozoya

Principal

Mexico

YOB: 1986

Case Number:

M-18-0587 -M

Jose Adrian Lozoya-Gomez

Co-Principal

Mexico

YOB: 1985

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 19, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Orlin David Lopez-Hernandez and Ilsa Danely Juarez-Hernandez, citizens and nationals of Honduras, along with twenty (20) other undocumented aliens, for a total of twenty-two (22), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to-wit: ~~A residence~~ located in Donna, Texas and Edinburg, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On March 11, 2018, Border Patrol Agents received information of a suspected stash house being used to harbor undocumented aliens located at 945 East Anderson Rd. in Donna, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Julio C. Peña Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

March 20, 2018

Date

at McAllen, Texas
City and State

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18- 0587 -M

**RE: Roel Gonzalez-Lozoya
 Jose Adrian Lozoya-Gomez**

CONTINUATION:

On March 19, 2018, agents conducted surveillance and observed a grey Honda and a blue sedan arrive at the suspected stash house. Shortly thereafter, two male subjects were observed departing the location in the Honda. At this time, agents contacted Hidalgo County Constables Office (HCCO) to assist with a vehicle stop. HCCO Deputies conducted a traffic stop on the Honda for expired license plate registration. Agents approached the driver and identified themselves as Border Patrol Agents. The driver was identified as Jose Adrian Lozoya-Gomez, a Mexican Citizen. Lozoya was questioned as to his possible involvement in human smuggling to which he freely admitted to residing in a mobile home with his cousin along with two illegal aliens. The passenger of the Honda was also determined to be illegally present in the United States.

Lozoya was read his Miranda Rights and provided consent to search his residence. Agents proceeded to the suspected stash house and discovered three male subjects all determined to be illegally present in the United States. One of the three subjects was later identified as Roel Gonzalez-Lozoya, cousin of, Lozoya.

During a field interview of the undocumented aliens, it was determined that Gonzalez was also a caretaker of the stash house. Gonzalez was questioned as to his suspected involvement in human smuggling to which he claimed that his cousin, Lozoya, had a second house located in Edinburg, Texas where he was harboring illegal aliens. Gonzalez was read his Miranda Rights and agreed to provide a statement.

Lozoya was questioned regarding a second suspected stash house to which he admitted to harboring at least ten undocumented aliens. Lozoya provided agents with consent to search the apartment located in Edinburg, Texas.

Agents along with HCCO Deputies proceeded to the apartment and discovered nineteen (19) subjects. All subjects were determined to be illegally present in the United States.

All subjects were transported to the Centralized Processing Center to be processed accordingly.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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M-18- 0587 -M

**RE: Roel Gonzalez-Lozoya
 Jose Adrian Lozoya-Gomez**

CONTINUATION:

PRINCIPAL STATEMENT:

Jose Adrian Lozoya-Gomez was read his Miranda Rights. He understood and agreed to provide a sworn statement without the presence of an attorney.

Lozoya, stated he has been delivering food to the illegal aliens for the past month and would receive \$30 USD. Lozoya claims he has transported aliens to the apartment on three separate occasions and his cousin also helps by providing food to the aliens.

Lozoya identified Gonzalez, through a photo lineup, as his cousin.

CO-PRINCIPAL STATEMENT:

Roel Gonzalez-Lozoya was read his Miranda Rights. He understood and agreed to provide a sworn statement without the presence of an attorney.

Gonzalez stated he agreed to pick up and transport illegal aliens to their residence when asked by his cousin. Gonzalez claims he was receiving \$20 to \$30 USD per alien he transported but his cousin was the main coordinator. Gonzalez claims approximately 20 aliens have been harbored at the stash house since he has been living there. Gonzalez indicated that his cousin and him have been renting the second stash house location for one week. Gonzalez stated he provides food to both locations.

Gonzalez identified Lozoya, through a photo lineup, as his cousin and as the main coordinator.

MATERIAL WITNESSES STATEMENTS:

Ilsa Danely JUAREZ-Hernandez and Orlin David LOPEZ-Hernandez were read their Miranda Rights. Both understood and agreed to provide a statement.

JUAREZ, a citizen of Honduras, stated she made her smuggling arrangements and was to pay \$10,500 (USD). Once in the United States, JUAREZ stated a male subject driving a pickup truck transported her to the stash house where she was later arrested in. JUAREZ indicated the same male subject that transported her to the stash house was the same person who instructed her not to leave. JUAREZ claimed a second subject would provide food.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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**RE: Roel Gonzalez-Lozoya
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CONTINUATION:

JUAREZ identified LOZOYA, through a photo lineup, as the person who would provide food at the stash house.

JUAREZ identified GONZALEZ, through a photo lineup, as the person who transported her to the stash house.

LOPEZ, a citizen of Honduras, stated his brother made his smuggling arrangements and was to pay \$8,000 (USD). After crossing the river, LOPEZ stated he was eventually transported, by a male subject, to a house where he spent one day. The next day, LOPEZ stated the same male subject transported him to an apartment and instructed him not to make noise. LOPEZ claims another male subject would provide food and water.

LOPEZ identified LOZOYA, through a photo lineup, as the same male subject who transported him to the stash house and eventually to the apartment.

LOPEZ identified GONZALEZ as the person who would provide food at the apartment.